



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

January 14, 2004

SUBJECT: **2003-0896 – Gregory Gibbs [Applicant] Pacific Retail Trust [Owner]**: Application for a 2,272 square foot site located at **1673 Hollenbeck Avenue** in a C-1/PD (Neighborhood Business/Planned Development) Zoning District (APN: 323-26-033):

Motion Special Development Permit to allow a women's fitness facility in an existing retail space in Loehmann's Plaza shopping center.

REPORT IN BRIEF

Existing Site Commercial Shopping Center

Conditions

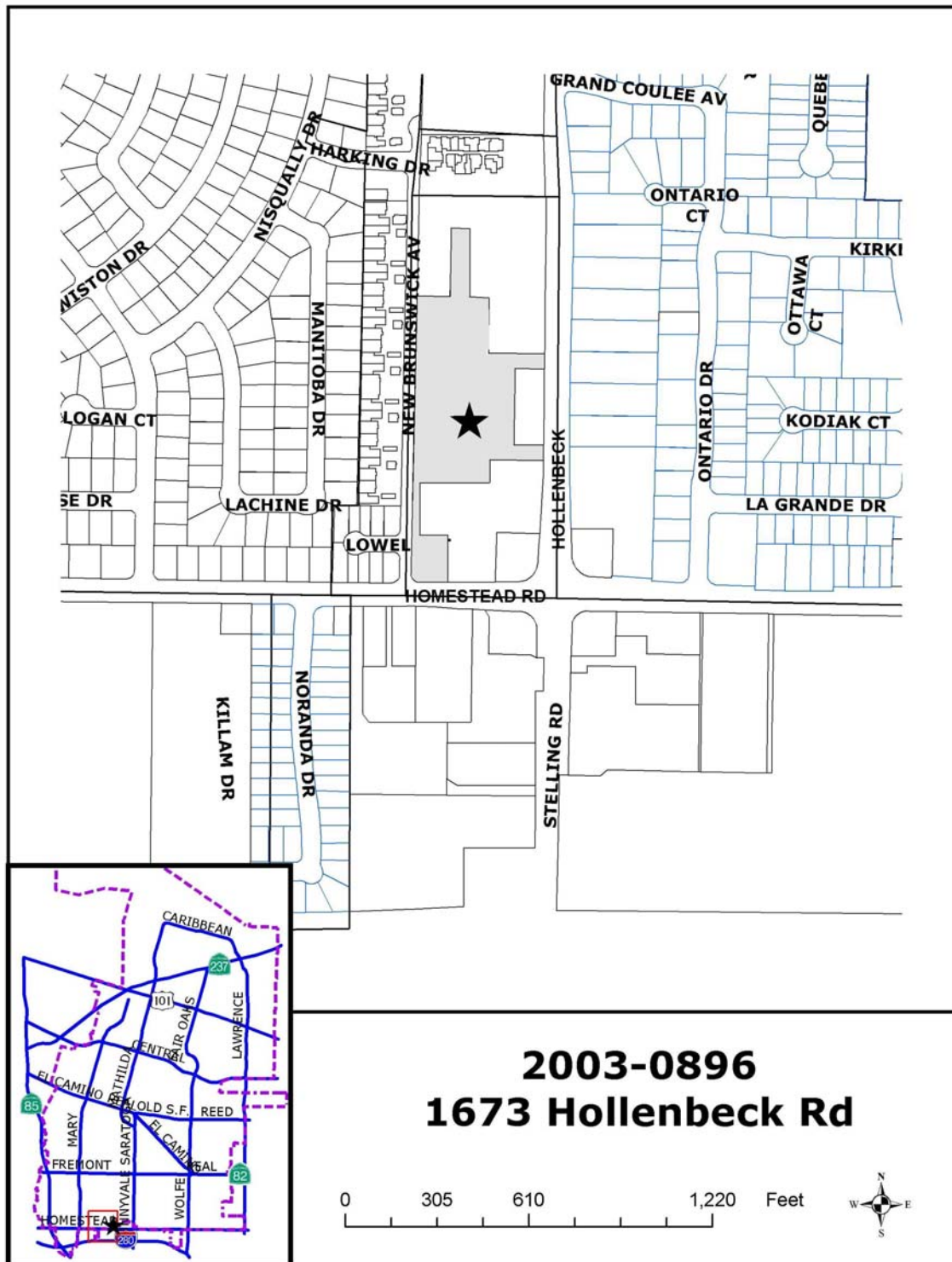
Surrounding Land Uses

| | |
|-------|--|
| North | Dental Office |
| South | Homestead Road and Commercial Shopping |
| East | Residential |
| West | New Brunswick Avenue and Townhomes |

Issues Use

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve with Conditions



PROJECT DATA TABLE

| | <u>EXISTING</u> | <u>PROPOSED</u> | <u>REQUIRED/ PERMITTED</u> |
|---|--|------------------------|---------------------------------------|
| General Plan | Commercial Neighborhood Shopping | Same | Same |
| Zoning District | C-1/PD | Same | Same |
| Lot Size – Loehmann’s Plaza (3 separate parcels) | 11.34 acres | Same | No min. |
| Gross Floor Area of Shopping Center (s.f.) | 157,310 | Same | No max. |
| Gross Floor Area of Proposed Fitness Facility (s.f.) | 2,272 | Same | No max. |
| Maximum Number of People (Customers & Staff) | none | 26 | By SDP |
| Total No. of Parking Spaces for Loehmann’s Plaza | 816 | Same | 782 min. |

ANALYSIS**Background**

The proposed women’s fitness center is located in a commercial shopping center commonly known as Loehmann’s Plaza. The center consists of four buildings with more than 30 stores located on three separate parcels. The properties for the center were Rezoned from C-1 to C-1/PD in 1979. A Master Special Development Permit was adopted for this site in 1980.

The subject site is current vacant. It is located between a Longs Drug Store and an eatery called the Burrito Factory.

Previous Actions on the Site: The planning permit history for Loehmann’s Plaza contains 18 permits. The following table summarizes the primary planning applications related to the subject site.

| File Number | Brief Description | Hearing/Decision | Date |
|--------------------|--|-------------------------|-------------|
| 1991-0213 | Special Development Permit for Kumon Tutoring Center at 1601-1695 Hollenbeck | Staff/Approved | 5/29/91 |

| File Number | Brief Description | Hearing/Decision | Date |
|--------------------|---|----------------------------------|-------------|
| 1992-0349 | Special Development Permit to expand China Eastern restaurant at 1601-1695 Hollenbeck | Planning Commission/ Approved | 9/30/92 |
| 1994-0183 | Special Development Permit to expand Math Center at 1601-1695 Hollenbeck | Withdrawn | 2/16/94 |
| 1997-0381 | Special Development Permit for High Tech Burrito restaurant at 1683 Hollenbeck | Staff/Approved | 7/16/97 |
| 1998-1279 | Special Development Permit for Togos restaurant at 1683 Hollenbeck | Staff/ Approved | 1/13/99 |
| 2001-0506 | Special Development Permit for expansion of an existing school at 1661 Hollenbeck | Staff/ Approved | 9/12/01 |

Description of Proposed Project

The proposed project will use the space as a women's only fitness / weight loss facility and retail sales for workout clothes. The workout area would have 12 hydraulic machines and 12 aerobic stations, for a maximum of 24 workout stations. Customers spend approximately five minutes at each station, rotating from station to station during their workout. Workout activities are continuous, so customers may arrive at any time and join in the workout rotation. The typical workout session is a 30 minute cycle per customer. The proposed hours of operation are 8:00 a.m. to 7:00 p.m. from Monday through Sunday. A maximum of 24 customers and 3 employees are anticipated to be on site at any given time.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions include minor additions to existing facilities.

Special Development Permit

Use: The use is being considered per the requirement of the 1983 SDP #5068, approved September 5, 1983, which includes Condition of Approval #6: "All uses permitted as a matter of right within a C-1 Zoning District shall be permitted as a matter of right on this property, except that the following uses

shall require a Special Development Permit: (a) All uses listed in the C-1 Zoning District as needing a Use Permit; restaurants, entertainment and amusement uses; establishments for which an On-Sale General Liquor License is issued; bars, dog grooming and pet stores.” For Commercial properties, recreation enterprises are included under the category of entertainment/recreation and require a Use Permit (SMC 19.20.030).

Parking/Circulation: The subject site is located within Loehmann’s Plaza, consisting of only 1.4% of the gross floor area of the full plaza site. As the subject site is less than 10% of the total site, the site is treated as though it were part of the uses occupying ninety percent or more of the total floor area (SMC 19.46.020(b)); thus, no additional parking analysis is required for this site and parking is determined to meet Code requirements.

Transportation Impact Fee

As the anticipated traffic impact had been included in the initial site development plan, no Transportation Impact Fee will be assessed.

Compliance with Development Standards

The project complies with all applicable development standards.

Expected Impact on the Surroundings

This project may result in minor impacts in traffic congestion and sound from the background music for the workout cycles. Due to the adequate parking on the site and the requirement for the tenant to comply with the City’s Noise Ordinance, staff does not believe that there will be a negative impact on the surrounding tenants or properties.

Findings, General Plan Goals and Conditions of Approval

Staff was able to make the required Findings based on the justifications for the Special Development Permit.

- Findings and General Plan Goals are located in Attachment 1.
- Conditions of Approval are located in Attachment 2.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

| Notice of Public Hearing | Staff Report | Agenda |
|---|---|--|
| <ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• Mailed to the adjacent property owners of the project site | <ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library | <ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial |

Alternatives

1. Approve the Special Development Permit with attached Conditions.
2. Approve the Special Development Permit with modified Conditions.
3. Deny the Special Development Permit.

Recommendation

Alternative 1.

Prepared by:

Jamie McLeod
Project Planner

Reviewed by:

Fred Bell
Principal Planner

Attachments:

1. Findings
2. Conditions of Approval
3. Site Plans
4. Use Permit Justification from the Applicant

Findings - Special Development Permit

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as indicated below.

Land Use and Transportation Element

Policy N1.4 Support the provision of a full spectrum of public and quasi-public services that are appropriately located in residential, commercial and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.

The proposed project would provide additional recreation opportunities for the Sunnyvale community. This use is appropriately located in a commercial shopping center that serves as a neighborhood center.

Land Use and Transportation Element

Policy C.4.1.3 Promote commercial uses that respond to the current and future retail service needs of the community.

The proposed project would provide additional recreation opportunities for the Sunnyvale community.

Socio-Economic Element

Policy 5.1C.4 Promote business opportunities and business retention in Sunnyvale.

The proposed project would provide additional business opportunities in Sunnyvale.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties as there will be no impact to the existing structure or to adjoining properties.

Conditions of Approval - Special Development

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions, the Permittee expressly accepts and agrees to comply with the following Conditions of Approval for this Permit.

1. Execute a Special Development Permit document prior to issuance of the building permit.
2. If not exercised, this Special Development Permit shall expire two years after the date of approval by the final review authority.
3. Any major use, site or architectural modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing before the Planning Commission. Minor changes of the approved plans may be approved by the Director of Community Development.
4. Hours of operation shall be limited to 8:00 a.m. to 7:00 p.m. from Monday through Sunday.
5. As required by Code, the proposed uses shall comply with the requirements of the Noise Ordinance.
6. The tenant shall provide and maintain one bike rack outside the facility.